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January 23, 2014

*Via ECF*

Hon. Andrew L. Carter, Jr.  
United States District Judge  
United States District Court  
400 Pearl Street  
New York, NY 10007

**Re: DEL MONTE v. M/V LOMBOK STRAIT et al.**

**U.S.D.C. – S.D.N.Y.**

Case No.: 12 Civ. 3567 (ALC)(KNF)

Our file: 292-75

Dear Hon. Judge Carter:

We are attorneys for the Plaintiff and write the Court jointly with defendants to provide the current status of settlement discussions.

In furtherance of the Status Conference with the Court on December 18, 2013, and the Mediation Referral Order dated December 19, 2013, the parties have been reviewing whether settlement is possible before trial scheduled for April 28, 2014.

As discussed at the Status Conference, the defendant has been able to arrange for the deposition testimony of the Wilhelmsen technician to be held in Holland the second week of February 2014. As defendant's client is located in England, the parties have decided to take this opportunity to have a face to face meeting in London following the deposition in Holland. We expect to have a full and frank discussion of the claim to determine whether an amicable settlement is obtainable.

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The parties believe that the discussions in London will be the best chance for an amicable settlement prior to Trial commencing on April 28, 2013. As such, they reported the proposed face to face settlement discussions with the assigned mediator and all have agreed to postpone the mediation process until after the meeting.

After their return from Europe the parties will report back to the mediator and the Court and advise whether further mediation would be a possible benefit.

We thank the Court for its assistance in this matter.

Respectfully submitted,

CASEY & BARNETT, LLC  
Attorneys for Plaintiff

By:

  
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cc: Vincent M. DeOrchis, Esq.  
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